

**UNITED STATES DEPARTMENT OF LABOR
OFFICE OF THE SOLICITOR
TWO PERSHING SQUARE
2300 MAIN STREET, SUITE 1020
KANSAS CITY, MISSOURI 64108
(816) 285-7260**

CERTIFICATE OF INDEBTEDNESS

Debtor Name and Address: PAR Partnership, Inc. dba Outdoor Solutions
Patrick Michael O'Neal, President
1400 Shawnee Court
Arnold, MO 63010

Total debt due United States as of November 7, 2016: \$354,812.00

I certify that the record shows that the debtor named above is indebted to the United States in the amount stated above.

The claim arose in connection with the debtor's untimely appeal of the determination letter issued by the Administrator, Wage and Hour Division, United States Department of Labor.

Relevant Facts

A determination letter was issued on April 25, 2016 in response to violations of the H-2B provisions of the Immigration and Nationality Act ("INA"). As a result of these violations, it was determined that unpaid wages of \$298,612.00 were owed to 38 H-2B nonimmigrant workers and an assessment of civil money penalties in the amount of \$56,200.00 was made.

On July 29, 2016, a letter was issued to the debtor notifying debtor that the determination of the Administrator became a final and unappealable Order of the Secretary of Labor on June 17, 2016.

On August 1, 2016, debtor submitted an untimely letter requesting a hearing to the Office of Solicitor ("SOL") in Kansas City, Missouri. This letter was forwarded by SOL to the Office of Administrative Law Judges in Washington, D.C.

The matter was assigned to Administrative Law Judge Larry A. Temin.

SOL filed a Motion to Dismiss Untimely Appeal on behalf of the Administrator, Wage and Hour Division on September 29, 2016.

Judge Temin issued a Notice to Unrepresented Party Regarding Motion to Dismiss Untimely Appeal on October 7, 2016, to inform debtor of his need to respond to the Motion.



Judge Temin issued an Order to Show Cause Why Claim Should Not Be Dismissed on October 21, 2016, giving debtor additional time to respond to the Motion to Dismiss.

On November 7, 2016, Judge Temin issued his Order of Dismissal. He found that debtor's Request for a Hearing was untimely and the matter was dismissed in its entirety.

CERTIFICATION: Pursuant to 28 USC § 1746, I certify under penalty of perjury that the foregoing is true and correct.

Kim P. Flores

Kim P. Flores

Counsel for Wage and Hour

Date:

4/24/17